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16 November 1981

## MEMORANDUM FOR THE RECORD

SUBJECT: Attendance at Meeting of the President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research - Washington, D.C., 13, 14 November 1981

The President's Commission meeting in Washington considered, among other topics, a draft of the biennial report to the President and Congress. Agency information on human research included in the 22 October 1981 letter from the Deputy Director for Administration was included in this report.

On Saturday, 14 November, an opportunity was provided for the Commissioners to comment and question the liaison officers from the agencies in liaison with the Commission. With respect to the CIA, the Commissioners were interested in how they might feel secure that the Central Intelligence Agency was conforming to rules with respect to the conduct of research on human subjects, as established in the guidelines of the Department of Health and Human Services. I cited the law establishing the Commission and the Agency's liaison relationship with the Commission; Executive Order 12036, incorporating the HHS guidelines; internal Agency regulations further incorporating the HHS guidelines; the Congressional oversight function covering all Agency activities; the Agency Human Subjects Research Panel, composed of representatives from each Directorate of the Agency; the 1973 charge by the Director of Central Intelligence -- with subsequent updates -- directing employees to report suspected cases of misconduct to the Director; and the integrity of Agency employees themselves as working forces to ensure compliance. In response to other questions, the Commissioners were assured that Institutional Review Boards reviewing proposals for research sponsored for or conducted by the Agency would contain a member from outside the Agency, as prescribed in the HHS regulations. The Chairman of the Commission was assured that the Agency liaison officer would have knowledge of each research project sponsored by or conducted for the Agency. The Commissioners were informed, in response to a question, that the draft revision of Executive Order 12036, when it left the Agency, provided for no exclusion of the Agency from the HHS guidelines. Questions also were asked about the extent of Congressional oversight and the Commissioners were assured that the Congressional oversight committees were empowered to review any Agency activity, including research involving humans. At the request of the Deputy Director of the Commission, we will look

into what assistance we can provide the Commission staff as to policy and directions with respect to human research among other components of the Intelligence Community.

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[redacted] of the Office of Genral Counsel, accompanied me and assisted in replying to questions from the Commissioners. STAT



Attachments:

1. Copy of DDA letter dated 22 Oct 81
2. Article from the Washington Post, 15 Nov 81

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